

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

IN RE MUTUAL FUNDS INVESTMENT  
LITIGATION

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MDL 1586

IN RE ALLIANCE, FRANKLIN/TEMPLETON,  
BANK OF AMERICA/NATIONS FUNDS, and  
PILGRIM BAXTER

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Case No. 04-md-15862  
(Judge Motz)

[Franklin Templeton Subtrack]

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Sharkey IRO/IRA v. Franklin Resources, *et al.*

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Case No. 04-md-1310

**THE FRANKLIN TEMPLETON DEFENDANTS'**  
**MOTION FOR PARTIAL SUMMARY JUDGMENT**

The Franklin Templeton Defendants<sup>1</sup> move, pursuant to Rule 56 Fed. R. Civ. P., for an order granting them partial summary judgment on the claims under Rule 10b-5 as to non-arranged market-timing in the Investor Class Action. In support of the motion, the Franklin Templeton Defendants submit the accompanying (i) Memorandum of Law in Support of Partial Summary Judgment, (ii) Transmittal Affidavit of Daniel A. Pollack, together with Appendix of Exhibits, and (iii) the Affidavits of Thomas P. Johnson and Alison Baumann in Support of the Motion.

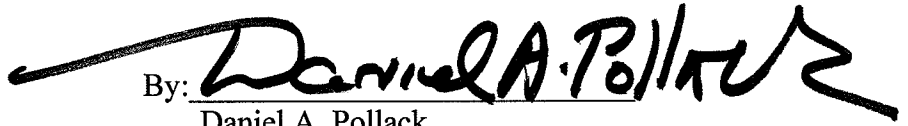
Dated: New York, New York  
March 24, 2010

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<sup>1</sup> The Franklin Templeton Defendants are: Franklin Resources, Inc., Franklin Advisers, Inc., Franklin/Templeton Distributors, Inc., Franklin Alternative Strategies, Inc., Franklin Strategic Series, Inc., and Gregory E. Johnson.

McCARTER & ENGLISH, LLP

By:

A large, stylized handwritten signature in black ink, appearing to read "Daniel A. Pollack", is written over the line following the word "By:".

Daniel A. Pollack

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Anthony Zaccaria

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